

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Lebel *et al.*

Appl. No. TBA (division of 09/254,780)

Filed: Concurrently herewith

For: Transgenic Plants Expressing
Cellulolytic Enzymes

Art Unit of parent application: 1638

Examiner of parent application: A. Kubilik

Atty Docket: S-21043B

PRELIMINARY AMENDMENT

BOX: PATENT APPLICATION

Commissioner for Patents

Washington, D.C. 20231

Sir:

Please enter the following amendments prior to the examination of this application.

IN THE CLAIMS:

Please delete claims 1-5, without prejudice.

REMARKS

Upon entry of this amendment, claims 6-10 are pending. Claims 1-5 have been cancelled without prejudice. Claims 6-10 were the non-elected claims of Group II in the parent application serial no. 09/254,780. The present divisional application is being filed to pursue non-elected claims.

It is believed that no Extension of Time is required. However, if it is deemed that any other fees are necessary to maintain pendency of this application, then the Office is hereby authorized to charge Deposit Account No. 50-1744 (in the name of Syngenta) for payment of such fees.

Syngenta Biotechnology, Inc.
Patent Department
P.O. Box 12257
Research Triangle Park, NC 27709-2257

July 9, 2001

Respectfully submitted,
Timothy Meigs 38,241
by Mary Kakefuda
Mary Kakefuda
Attorney for Applicants
Reg. No. 38,241
Phone: (919) 765-5071